

Appln. No. 10/070,886

Attorney Docket No. 11721-011

III. Remarks

Claims 1-23 are pending in the application. Claims 19-20 have been cancelled. Claims 1 and 11 have been amended. No new claims have been added.

Claim Objections

Claims 1-20 were objected to because of informalities. Specifically, the Examiner indicated that claims 1, 11 and 19, employ the phrase "capable of " which the Examiner believes is not a positive limitation but only requires the ability to so perform. Applicants have addressed the Examiner's concern by removing the above mentioned language from the respective claims and by canceling claims 19 and 20.

Claims 2-10, 12-18 and 20 were objected for the same reasons stated above since they depend from objected claims. Said corrections have been made by way of this Amendment and it is submitted that claims 1-18 can now be readily understood and that the objections have been overcome and should be withdrawn.

Rejections Under 35 USC § 112

Claims 19-20 were rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. Applicants submit that this rejection is now moot given the cancellation of claims 19 and 20.

Rejections Under 35 USC § 102

Claims 19-20 were rejected under 35 USC §102(b) as being anticipated by European Patent No. EP 0 775 613 issued to Clark (Clark).

Appl. No. 10/070,886

Attorney Doct et No. 11721-011

Applicants submit that this rejection is now moot given the cancellation of claims 19 and 20.

Rejections Under 35 USC § 103

Claims 1-3, 8 and 10 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,169,479 issued to Boran et al. (Boran) in view of Clark. Claim 9 was rejected under 35 USC §103(a) as being unpatentable over Boran in view of Clark as applied to claim 1 above and further in view of U.S. Patent No. 5,141,193 issued to Behr (Behr). These rejections are unavailing because Boran cannot be used as prior art. 35 U.S.C. § 103(c) states:

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of Section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Boran and the current application have a common assignee. As shown on the front page of Boran, the inventors of the Boran reference were under an obligation to assign the Boran application to Visteon Global Technologies, Incorporated ("VGTI"). Likewise, the inventors of the current application were under an obligation to assign the present application to VGTI, as shown on the front page of International Publication No. WO 01/24137. Accordingly, Applicants respectfully request allowance of claims 1-18.

Applicants acknowledge with appreciation the Examiner's allowance of claims 21-23.

-10-

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Appln. No. 10/070,886

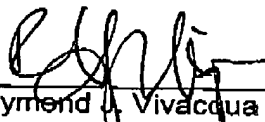
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SUMMARY

Pending Claims 1-18 as amended are patentable. Applicants respectfully request the Examiner grant early allowance of these claims. The Examiner is invited to contact the undersigned attorneys for the Applicants via telephone if such communication would expedite this application.

Respectfully submitted,

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Date


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-11-

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